

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAROLYN E. JONES, Plaintiff v. WILLIAM A. MASON, CHIEF OF POLICE, HARWICH POLICE DEPARTMENT and the TOWN OF HARWICH, Defendants.	Civil Action No. 04-10133-MEL
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**DEFENDANTS' MOTION TO COMPEL THE PLAINTIFF TO COMPLY WITH
DISCOVERY REQUESTS**

Pursuant to Rule 37(a) of the Federal Rules of Civil Procedure the Defendants move this Court to order the Plaintiff to participate in good faith in the discovery process. In support of this motion, the Defendant submits the brief memorandum below.

Argument

On May 3, 2004, the Defendants served their Interrogatories and Requests for Production of Documents upon the Plaintiff. Pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, the Plaintiff was required to respond to the Defendants' discovery requests within 30 days after service upon the Plaintiff. On June

22, 2004, counsel for the Defendants contacted Plaintiff's counsel inquiring as to when the Plaintiff's discovery responses would be forthcoming. At that time, the Plaintiff's attorney represented that Plaintiff's discovery responses would be provided within two weeks. The Plaintiff failed to provide her responses to the Defendants' discovery requests within two weeks of June 22, 2004.

By letter dated July 14, 2004, the Defendants immediately requested the Plaintiff to produce all responses to Defendants' written discovery on or before Friday, July 16, 2004. Plaintiff failed to send her responses to discovery on or before Friday, July 16, 2004.

The Defendants have attempted to resolve these issues concerning discovery with Plaintiff's counsel; however, their efforts have been unavailing. Defendants, therefore, moves this Court to compel Plaintiff to answer the respondent's interrogatories and production requests by July 22, 2004.

Conclusion

For the reasons stated above, the Court should order the Plaintiff to comply with her discovery obligations in this matter.

Respectfully submitted,
Town of Harwich,
By its attorneys,

/s/

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DATED: July 19, 2004

Certificate of Service

I certify hereby that I have caused a copy of the above document to be served on the attorney for the Plaintiff by facsimile and first class mail.

/s/

Robert J. Van Campen

DATED: July 19, 2004